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## Request For Continued Examination (RCE) Transmittal

Address to:  
Commissioner for Patents  
Box RCE  
Alexandria, VA 22313

Application Number	09/966,202
Filing Date	September 26, 2001
First Named Inventor	Belloni, Paula
Art Unit	1616
Examiner Name	George, Konata M.
Attorney Docket Number	R0086B-DIV

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. [Submission required under 37 CFR 1.114]**

a.  Previously submitted

- i.  Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on May 15, 2003  
(Any unentered amendment(s) referred to above will be entered).
- ii.  Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- iii.  Other a copy of the response faxed 5/15/2003 is enclosed

b.  Enclosed

- i.  Amendment/Reply
- ii.  Affidavit(s)/ Declaration(s)
- iii.  Information Disclosure Statement (IDS)
- iv.  Other \_\_\_\_\_

**2. [Miscellaneous]**

a.  period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b.  Other \_\_\_\_\_

**3. [Fees]** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to  
a.  Deposit Account No. 18-1700 (see attached Fees Transmittal)

i. <input checked="" type="checkbox"/> RCE fee required under 37 CFR 1.17(e)	<u>06/20/2003 SDIRETA1 00000018 09966202</u>
ii. <input checked="" type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17)	<u>01 FC:1601 750.00 DA</u>
iii. <input type="checkbox"/> Other _____	<u>02 FC:1252 410.00 DA</u>

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Brian L. Buckwalter	Registration No. (Attorney/Agent)	46,585
Signature		Date	August 18, 2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Chris Myers	Date	August 18, 2003
Signature			

Page 1 of 2  
This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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01 FC:1601 750.00 DA

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>Address to:</b>  Box AF Commissioner for Patents PO Box 1450 Alexandria, VA 22313	<b>First Named Inventor</b>	<b>Paula Belloni</b>
	<b>Application Number</b>	<b>09/966,202</b>
	<b>Filing Date</b>	<b>September 26, 2001</b>
	<b>Group Art Unit</b>	<b>1616</b>
	<b>Examiner</b>	<b>George, Konata M.</b>
	<b>Attorney Docket No.</b>	<b>R0086B-DIV</b>
	<b>Title</b>	<b>METHODS FOR THE TREATMENT OF EMPHYSEMA USING 13-CIS- RETINOIC ACID</b>

**AMENDMENT & RESPONSE UNDER 37 CFR §1.116**

SIR:

In response to the Final Office Action dated March 17, 2003, having a shortened statutory period of response set to expire June 17, 2003, please amend the application as follows and take the following remarks into consideration:

**Amendments to the specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.